



CRL OP(MD). No.4856 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Kannan
2.Devi

... Petitioners / A2 and A3

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul District.
(Crime No.1 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.1 of 2026 on the file of the respondent police or on their appearance.

For Petitioners : Mr.G.Karuppasamy Pandiyan

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police in Crime No.1 of 2026 for the offences punishable under Section 9 of the Prohibition of Child Marriage Act, 2006 and Sections 5(l), 5(i)(ii), 6 and 17 of the Protection of Child from Sexual Offences Act, 2012, seek anticipatory bail.

2. The case of the prosecution is that A1 was in a love affair with the victim girl, which led them to elope and cohabit as husband and wife. During this period, the petitioners consented to their marriage. Subsequently, the victim became pregnant but unfortunately suffered a miscarriage, and while receiving treatment at the hospital, the mother of the victim lodged a complaint against the accused persons. Hence, the above case was registered for the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are the parents of A1 and that the only allegation against them



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is that they provided assistance to both A1 and the victim. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners provided assistance to A1 and the victim, which indicates their involvement in the further course of the alleged events. Hence, he objected to the grant of anticipatory bail to the petitioners.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case and the overt act attributed to the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order made



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ready, before the learned Special Court for POCSO Act Cases, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs. 10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation. They have to co-operate for the investigation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate



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action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

05.03.2026

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To

- 1.The Judge,
Special Court for POCSO Act Cases,
Dindigul.
- 2.The Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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